THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.25899 of 1996
Date:01-02-2007

BETWEEN:
R.Kanakaiah and others

Petitioners

And

The Managing Director,
A.P. Brewerage Corporation,
Hyderabad and others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.25899 of 1996

ORDER:

1. The subject matter of this writ petition lays challenge to the validity of orders passed by the State Government in their G.O.Ms.No.192, Industries & Commerce (IFR-II) Department dated 01-10-1996.

2. Earlier, the same subject matter has fallen for consideration by a Full Bench of this court in the case of **V.S.R.Murthy and others Vs. Engineer-in-Chief (Irrigation Wing), I & C.A.D. Department, Government of A.P., Hyderabad and others**[1]. The Full Bench has concluded the issue in the following terms:

> *" In view of this authoritative pronouncement, we hold that while implementing the scheme though some of its legal effects and consequences projected into post enactment period, still the scheme would not be affected and the enactment shall not have any damaging effect on the subject as incorporated in the scheme. Accordingly, the writ petitions are allowed and the G.O.Ms.No.192 Industries & Commerce (IFR.II) Department, dated 1-10-1996 is set aside. The A.P. Ordinance No.25/96 or A.P. Act 14/97 will not affect the rights of the petitioners as protected under the scheme propounded by the Board for Industrial and Financial Reconstruction in Case No.631/92. There shall be no order as to costs."*

3. Bound as I am by the judgment of the Full Bench, this writ petition is also allowed following the same. No order as to costs.

NOOTY

RAMAMOHANA RAO,J 01-02-2007

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[1] 1997 (5) ALT 696 (F.B.)